

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LORRAINE WELLS, et al.,

Plaintiffs,

v.

THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA, et al.,

Defendants.

Case No. 15-cv-01700-TEH

ORDER RE: BRIEFING SCHEDULE

Defendants in this case filed a motion to dismiss Plaintiffs' complaint on April 22, 2015. (Docket No. 5). The motion set an incorrect briefing schedule, with Plaintiffs' response due on May 13, 2015, and Defendants' reply due on May 18, 2015. The Court's Clerk immediately issued a Clerk's Notice setting the correct response and reply deadlines. (Docket No. 7). As explained in the Clerk's Notice, Civil Local Rule 7-3 provides that the response deadline was May 6, 2015, and the reply deadline was May 13, 2015. No filings were made by these dates. Instead, the Parties submitted a stipulation on May 13, 2015, requesting that the hearing be continued until June 15, 2015. (Docket No. 8). The Court granted this request. (Docket No. 9). However, the Court's Order on the stipulation did not change the briefing schedule. As a result, Plaintiffs' response is now thirteen days late, and Defendants' reply is six days late.

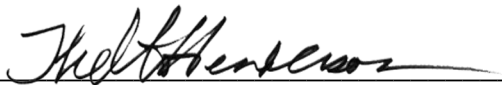
It appears that the Parties are under the impression that the briefing schedule is determined by the hearing date, rather than the motion's filing date. This is incorrect. As provided in Civil Local Rule 7-3, the opposition is due "not more than 14 days after the motion was filed." Civil L.R. 7-3(a). The reply is then due "not more than 7 days after the opposition was due." Civil L.R. 7-3(c). This is the rule that will be strictly applied to all future motions absent an approved revision to the briefing schedule.

As all Parties have now missed their filing deadlines, the Court must set a new briefing schedule for this motion. Plaintiffs' opposition shall be filed on or before **May**

1 **22, 2015.** Defendants' reply shall be filed on or before **May 29, 2015.** The Parties' failure
2 to adhere to these deadlines, in light of their failure to adhere to the deadlines provided in
3 the Local Rules and set by the Clerk's Notice a month ago, will be met with consequences
4 as determined by the Court.

5
6 **IT IS SO ORDERED.**

7
8 Dated: 05/19/5



THELTON E. HENDERSON
United States District Judge

United States District Court
Northern District of California